

**IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA**

**MARK MEYERS, in his own right
and on behalf of others similarly situated;**

Plaintiff,

v.

CIVIL ACTION NO: 5:19-cv-00162

**BLUESTONE INDUSTRIES, INC., and
JILLEAN L. JUSTICE,
JAMES C. JUSTICE III and
JAMES T. MILLER, individually**

Defendants.

MOTION TO COMPEL

COMES now the Plaintiff, Mark Meyers, in his own right and on behalf of others similarly situated, by counsel, Greg A. Hewitt, Anthony M. Salvatore, and Anthony J. Majestro, pursuant to Rule 37 of the Federal Rules of Civil Procedure and move to compel the Defendants herein to fully and completely respond to outstanding discovery.

In support thereof, the Plaintiff state as follows:

1. Discovery in this matter was served on or about May 15, 2019. Attached as Exhibit A is the Certificate of Service.
2. To date, no responses have been filed nor has an extension been requested.
3. Plaintiff's counsel has on numerous occasions attempted to resolve this issue short of court intervention to no avail.

In light of the above, the Plaintiff requests the Court compel the Defendants herein to fully and completely respond to outstanding discovery and award fees and costs in filing this Motion.

PLAINTIFF,

By Counsel

/s/ Greg A. Hewitt
Greg A. Hewitt (WV State Bar#7457)
Hewitt & Salvatore, PLLC
204 North Court Street
Fayetteville, WV 25840
ph.: (304) 574-0272
fax: (304) 574-0273
email: ghewitt@hewittsalvatore.com

**IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA**

**MARK MEYERS, in his own right
and on behalf of others similarly situated;**

Plaintiff,

v.

CIVIL ACTION NO: 5:19-cv-00162

**BLUESTONE INDUSTRIES, INC., and
JILLEAN L. JUSTICE,
JAMES C. JUSTICE III and
JAMES T. MILLER, individually**

Defendants.

CERTIFICATE OF SERVICE

I, the undersigned counsel for Plaintiff, do hereby certify that the foregoing Motion to Compel has been filed with the Court on this 31st day of July, 2019, using the CM/ECF system.

/s/ Greg A. Hewitt
Greg A. Hewitt (WVSB 7457)
Counsel for Plaintiff